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5 Attorneys for Plaintiff,  
6 PBC INTERNATIONAL, INC.

FILED  
2010 MAY 25 PM 1:11  
CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES

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8  
9 UNITED STATES DISTRICT COURT  
10 CENTRAL DISTRICT OF CALIFORNIA  
11

12 PBC INTERNATIONAL, INC., a  
13 California corporation,

14 Plaintiff,

15 vs.  
16

17 ALIREZA AMIRGHASSEMI, an  
18 individual doing business as  
19 PERSIAN BROADCASTING  
20 COMPANY and TAPESH  
21 TELEVISION NETWORK; DOES I -  
X, Inclusive,

22 Defendants.  
23

CASE NO.

CV10 3916

SVW

(AGRx)

COMPLAINT FOR TRADEMARK  
INFRINGEMENT AND FALSE  
DESIGNATION OF ORIGIN

JURY TRIAL DEMANDED

24  
25 COMES NOW THE PLAINTIFF, PBC INTERNATIONAL, INC., and  
26 for causes of action against the defendants, and each of them, complains and  
27 alleges as follows:  
28

MAP-PBC-1797

**JURISDICTION**

1  
2 1. This is a civil action which arises under Sections 32(1) [15 U.S.C.  
3 §1114(1)] and 43(a) [15 U.S.C. §1125(a)] of the United States Trademark Act.  
4 Jurisdiction is based upon 15 U.S.C. Section 1121 and 28 U.S.C. Section 1338(a).

**THE PARTIES**

5  
6 2. Plaintiff, PBC INTERNATIONAL, INC., is a California corporation  
7 having its principal place of business in Oxnard, California (hereinafter referred to  
8 as "PBC").

9 3. Plaintiff is informed and believes and, based on such information and  
10 belief, alleges that defendant, ALIREZA AMIRGHASSEMI, is an individual  
11 residing in the County of Los Angeles, State of California and doing business as  
12 PERSIAN BROADCASTING COMPANY and TAPESH TELEVISION NET-  
13 WORK, both of which have their principal places of business in the County of  
14 Ventura, State of California (hereinafter referred to as "defendants").

15 4. The true names or capacities, whether individual, corporate, associate,  
16 representative, or otherwise, of the defendants named herein as DOES I - X,  
17 inclusive, are unknown to plaintiff who therefore, pursuant to Local Rule 19-1 of  
18 this Court, sues said defendants by such fictitious names and plaintiff will amend  
19 this Complaint to show their true names and capacities when the same have been  
20 ascertained.

**FACTS COMMON TO ALL CLAIMS**

21  
22 5. In or about November, 1978, PBC's predecessor-in-interest, Pacific  
23 Balloon Co., Inc., was created for the purpose of manufacturing, selling and  
24 distributing novelty products. In January, 1999, the corporate name of plaintiff  
25 was changed to PBC International, Inc. The only corporate entity authorized by  
26 the State of California to identify itself as PBC International, Inc. is plaintiff.

1           6.     In 1990, and long prior to any of the acts of the defendants com-  
2     plained of in this Complaint, PBC adopted the mark PBC INTERNATIONAL  
3     trademark to designate plush stuffed animals, said mark being extensively used,  
4     advertised and promoted throughout the United States in general and in the State  
5     of California in particular.

6           7.     Since long prior to any of the acts of the defendants complained of in  
7     this Complaint, PBC applied for and registered its PBC INTERNATIONAL  
8     trademark in the United States Patent and Trademark Office, a copy of Certificate  
9     of Trademark Registration Nos. 1,684,063 and 2,527,352 being attached hereto as  
10    Exhibits 1 and 2, respectively. PBC owns the exclusive right to manufacture and  
11    sell plush stuffed animals and related goods and services designated by the PBC  
12    INTERNATIONAL trademark.

13                   **FIRST CLAIM FOR FEDERAL UNFAIR**  
14                   **COMPETITION AND FALSE DESIGNATION**  
15                   **OF ORIGIN**

16           8.     Plaintiff hereby repeats and realleges Paragraphs 1 - 7, inclusive, as  
17    though set forth in full herein again.

18           9.     Since long prior to the acts of the defendants complained of in this  
19    Complaint, PBC has extensively held itself out to the public throughout the United  
20    States as PBC International, Inc., a California corporation. PBC has extensively  
21    marketed, sold, advertised and promoted its products and services under the trade-  
22    mark PBC INTERNATIONAL. PBC has gained a substantial reputation under its  
23    corporate name, PBC International, Inc., a California corporation, and in connec-  
24    tion with the products and services marketed and sold under the PBC INTERNA-  
25    TIONAL trademark. By reason of the marketing and sale of products under the  
26    above trademark and trade name, the trade and public, prior to the acts of the  
27    defendants complained of in this Complaint, have come to recognize the trade  
28    name PBC International, Inc., a California corporation, and the trademark PBC

1 INTERNATIONAL, when used in connection with products and services supplied  
2 by, authorized or affiliated with PBC.

3 10. Plaintiff is informed and believes and, based upon such information  
4 belief, alleges that on or about February 9, 2004, defendants, and each of them,  
5 falsely represented themselves as PBC International, Inc., a California corporation,  
6 and entered into a lease for real property in the name of PBC International, Inc., a  
7 California corporation.

8 11. That on or about April 20, 2010, a Complaint alleging breach of the  
9 lease identified in Paragraph 10 was filed in the Superior Court of California,  
10 County of Los Angeles, identifying the defendant as PBC International, Inc., a  
11 California corporation. Plaintiff, PBC, was erroneously served with the Complaint  
12 on or about April 22, 2010.

13 12. The above-alleged actions of defendants, and each of them, constitute  
14 the use in connection with services of false or misleading descriptions and  
15 representations with respect to the origin, sponsorship or approval of its goods and  
16 services and the publicity therefor by suggesting that such goods and services and  
17 the advertising thereof are connected with or associated, sponsored or affiliated  
18 with PBC, or that the same truly originated with PBC. The misappropriation and  
19 use of PBC's trade name and trademark by defendants, and each of them, as well  
20 as defendants' other actions described above constitute false and misleading  
21 descriptions of fact and representations of fact that are likely to give the public a  
22 false impression and to confuse the public as to the source of defendants' goods  
23 and services.

24 13. PBC is informed and believes and, based on such information and  
25 belief, alleges that defendants, and each of them, adopted and used the trade name,  
26 PBC International, Inc., and the trademark PBC INTERNATIONAL with actual  
27 knowledge of PBC's long prior use thereof and with the intent to trade on the  
28 reputation and good will of that mark.

1           14. Although defendants have been requested by PBC to cease use of  
2 PBC's trademark and trade name, defendants have, nevertheless, refused said  
3 request. PBC is informed and believes and, based upon such information and  
4 belief, alleges that defendants, and each of them, have continued to use PBC's  
5 trademark and trade name in connection with advertising, marketing and promot-  
6 ing the sale of its services. This is therefore an exceptional case within the  
7 meaning of §35 of the United States Trademark Act, 15 U.S.C. §1117, entitling  
8 PBC to recover reasonable attorneys' fees.

9           15. The aforesaid actions of defendants, and each of them, have irrepar-  
10 ably damaged PBC and will, unless restrained, continue to so damage the business  
11 of PBC and its good will, for all of which there is no adequate remedy at law.

12           **SECOND CLAIM FOR TRADEMARK INFRINGEMENT**

13           16. Plaintiff hereby repeats and realleges Paragraphs 1 - 7, inclusive, and  
14 Paragraphs 9 - 15, inclusive, of the First Claim as though set forth in full herein  
15 again.

16           17. Long after PBC's first use of the PBC INTERNATIONAL trademark  
17 in commerce, defendants, and each of them, first commenced use of the trademark  
18 PBC INTERNATIONAL to designate, advertise and/or promote the sale of  
19 services in the United States. Defendants, and each of them, have used the trade-  
20 mark PBC INTERNATIONAL despite the fact the identified trademark wrong-  
21 fully appropriates PBC's registered PBC INTERNATIONAL trademark and is  
22 confusingly similar thereto.

23           18. Defendants' act of advertising, marketing and promoting the sale of  
24 its services through the use of the trademark PBC INTERNATIONAL is directed  
25 to the same segment of the purchasing public to which PBC directs its goods and  
26 services.

1           19. Defendants' use of trademark PBC INTERNATIONAL as alleged  
2 above to designate, advertise and/or promote the sale of its services is likely to  
3 cause confusion or mistake or to deceive the purchasers of its services as to the  
4 source of origin of defendants' services and to cause defendants' services to be  
5 passed off or viewed as those which are provided or authorized by PBC.

6           20. That unless restrained by this Court, defendants, and each of them,  
7 will continue to use the trademark PBC INTERNATIONAL to designate, adver-  
8 tise and/or promote the sale of the services and, as a result thereof, the public  
9 generally will be misled and deceived into believing that the services of defen-  
10 dants are those of, or are affiliated with PBC, to the irreparable damage and injury  
11 of the business of PBC.

12           21. PBC has duly demanded that defendants cease and desist from the  
13 aforesaid violation of PBC's rights, defendants having refused to do so. This is  
14 therefore an exceptional case within the meaning of §35 of the United States  
15 Trademark Act, 15 U.S.C. §1117, entitling PBC to recover reasonable attorneys'  
16 fees.

17           22. The aforesaid actions of defendants, and each of them, have irrepar-  
18 ably damaged PBC and will, unless restrained, continue to so damage the business  
19 of PBC and its good will, for all of which there is no adequate remedy at law.

20           **WHEREFORE**, plaintiff seeks judgment against defendants, and each of  
21 them, as follows:

22           1. That defendants, and each of them, and their officers, agents, ser-  
23 vants, employees, attorneys, confederates, related companies, and all persons  
24 acting in concert or participation with it, be enjoined and restrained during the  
25 pendency of this action, and permanently thereafter:



1 (a) from using in any manner as a trademark or trade name the  
2 mark PBC INTERNATIONAL, alone or in combination with any other word or  
3 words or design, in connection with designating, advertising, promoting and/or  
4 offering for sale or the sale of goods or services not produced or rendered by  
5 plaintiff, or not authorized by plaintiff to be sold in connection with said mark;

6 (b) from passing off, inducing or enabling others to sell or pass off  
7 services which are not plaintiff's or not offered under the control and supervision  
8 of plaintiff and approved by plaintiff, through the use of the mark PBC  
9 INTERNATIONAL or formatives thereof;

10 (c) from committing any acts calculated to cause purchasers to  
11 believe that defendants' services are sponsored by or approved or connected with  
12 or guaranteed by or offered and sold under the control and supervision of plaintiff;  
13 and

14 (d) from otherwise competing unfairly with plaintiff in any  
15 manner.

16 2. That defendants account for and pay over to plaintiff all damages  
17 sustained by plaintiff and all profits realized by defendant by reason of defendant's  
18 unlawful acts and that the amount of damages for infringement of plaintiff's  
19 trademark be increased by a sum not exceeding three times the amount thereof as  
20 provided by Section 35 of the United States Trademark Act, 15 U.S.C. §1117.

21 3. That plaintiff be awarded exemplary damages in the amount of  
22 \$100,000.

23 4. That plaintiff be awarded its costs of suit, including reasonable  
24 attorneys' fees and have such other and further relief as to the Court may deem  
25 equitable, including but not limited to, any relief set forth under Section 34-39 of  
26 the United States Trademark Act.

1                   **PLAINTIFF DEMANDS A JURY TRIAL OF THIS ACTION.**

2                                   Respectfully submitted,

3                                   ISAACMAN, KAUFMAN & PAINTER

4  
5                   By: 

6                                   Michael A. Painter  
7                                   Attorneys for Plaintiff  
8                                   PBC INTERNATIONAL, INC.

9  
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11                   Dated: May 25, 2010  
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# EXHIBIT 1

**Int. Cl.: 42**

**Prior U.S. Cl.: 101**

**United States Patent and Trademark Office** **Reg. No. 1,684,063**  
**Registered Apr. 21, 1992**

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**SERVICE MARK  
PRINCIPAL REGISTER**



PACIFIC BALLOON CO., INC. (CALIFORNIA  
CORPORATION)  
1913 PORTOLA ROAD  
VENTURA, CA 93003

FOR: WHOLESALE DISTRIBUTORSHIP  
SERVICES IN THE FIELD OF TOYS; NAMELY,  
BALLOONS AND SOFT SCULPTURES, IN  
CLASS 42 (U.S. CL. 101).

FIRST USE 9-20-1990; IN COMMERCE  
9-20-1990.

NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "INTERNATIONAL", APART  
FROM THE MARK AS SHOWN.

SER. NO. 74-115,925, FILED 11-16-1990.

DAVID CHO, EXAMINING ATTORNEY

# EXHIBIT 2

**Int. Cl.: 28**

**Prior U.S. Cls.: 22, 23, 38 and 50**

**United States Patent and Trademark Office**

**Reg. No. 2,527,352**

**Registered Jan. 8, 2002**

**TRADEMARK  
PRINCIPAL REGISTER**

**PBC INTERNATIONAL**

**PBC INTERNATIONAL, INC. (CALIFORNIA  
CORPORATION)  
P.O. BOX 5767  
OXNARD, CA 93031**

**NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "INTERNATIONAL", APART  
FROM THE MARK AS SHOWN.**

**FOR: PLUSH STUFFED ANIMALS, IN CLASS 28  
(U.S. CLS. 22, 23, 38 AND 50).**

**SER. NO. 76-225,404, FILED 3-16-2001.**

**FIRST USE 9-20-1990; IN COMMERCE 9-20-1990.**

**DAVID C. REIHNER, EXAMINING ATTORNEY**

ORIGINAL

Name & Address: Michael A. Painter, #43600  
Isaacman, Kaufman & Painter  
10250 Constellation Boulevard, Suite 2900  
Los Angeles, California 90067  
(310) 881-6800  
painter@ikplaw.com

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

PBC INTERNATIONAL, INC., a California  
corporation

PLAINTIFF(S)

v.

ALIREZA AMIRGHASSEMI, an individual doing  
business as PERSIAN BROADCASTING COMPANY  
and TAPESH TELEVISION NETWORK; DOES I - X  
Inclusive

DEFENDANT(S).

CASE NUMBER

CV10 3916 SVW (AGRx)

SUMMONS

TO: DEFENDANT(S): \_\_\_\_\_

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ \_\_\_\_\_ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Michael A. Painter, Esq., whose address is 10250 Constellation Blvd., Suite 2900, Los Angeles, CA 90067. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Clerk, U.S. District Court

MAY 25 2010

Dated: \_\_\_\_\_

CHRISTOPHER POWERS

By: \_\_\_\_\_

Deputy Clerk

(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

CV-01A (12/07)

SUMMONS

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET

|   |  |  |
|---|--|--|
| <b>I (a) PLAINTIFFS</b> (Check box if you are representing yourself <input type="checkbox"/> )<br>PBC INTERNATIONAL, INC., a California corporation   |  | <b>DEFENDANTS</b><br>ALIREZA AMIRGHASSEMI, an individual doing business as PERSIAN BROADCASTING COMPANY and TAPESH TELEVISION NETWORK, DOES 1 - X, Inclusive |
| <b>(b) Attorneys</b> (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)<br>Michael A. Painter, #43600; Isaacman, Kaufman & Painter<br>10250 Constellation Boulevard, Suite 2900<br>Los Angeles, CA 90067 (310) 881-6800 |  | Attorneys (If Known)   |

|  |  |  |  |  |  |
|--|--|--|--|--|--|
| <b>II. BASIS OF JURISDICTION</b> (Place an X in one box only.)<br><input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)<br><input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III) |  | <b>III. CITIZENSHIP OF PRINCIPAL PARTIES</b> - For Diversity Cases Only<br>(Place an X in one box for plaintiff and one for defendant.)  |  |  |  |
|  |  | Citizen of This State <input type="checkbox"/> 1 <input type="checkbox"/> 1<br>Citizen of Another State <input type="checkbox"/> 2 <input type="checkbox"/> 2<br>Citizen or Subject of a Foreign Country <input type="checkbox"/> 3 <input type="checkbox"/> 3 | PTF DEF<br><input type="checkbox"/> 1 <input type="checkbox"/> 1<br><input type="checkbox"/> 2 <input type="checkbox"/> 2<br><input type="checkbox"/> 3 <input type="checkbox"/> 3 | Incorporated or Principal Place of Business in this State<br>Incorporated and Principal Place of Business in Another State<br>Foreign Nation | PTF DEF<br><input type="checkbox"/> 4 <input type="checkbox"/> 4<br><input type="checkbox"/> 5 <input type="checkbox"/> 5<br><input type="checkbox"/> 6 <input type="checkbox"/> 6 |

**IV. ORIGIN** (Place an X in one box only.)

☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify): ☐ 6 Multi-District Litigation ☐ 7 Appeal to District Judge from Magistrate Judge

**V. REQUESTED IN COMPLAINT:** JURY DEMAND: ☒ Yes ☐ No (Check "Yes" only if demanded in complaint.)

**CLASS ACTION** under F.R.C.P. 23: ☐ Yes ☒ No **MONEY DEMANDED IN COMPLAINT:** \$ Injunction; Damages

**VI. CAUSE OF ACTION** (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)  
 Sections 32(1) [15 U.S.C. §1114(1)] and 43(a) [15 U.S.C. §1125(a)] of the United States Trademark Act

**VII. NATURE OF SUIT** (Place an X in one box only.)

|  |   |  |   |   |  |
|--|---|--|---|---|--|
| <input type="checkbox"/> 400 State Reapportionment<br><input type="checkbox"/> 410 Antitrust<br><input type="checkbox"/> 430 Banks and Banking<br><input type="checkbox"/> 450 Commerce/ICC Rates/etc.<br><input type="checkbox"/> 460 Deportation<br><input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations<br><input type="checkbox"/> 480 Consumer Credit<br><input type="checkbox"/> 490 Cable/Sat TV<br><input type="checkbox"/> 810 Selective Service<br><input type="checkbox"/> 850 Securities/Commodities/Exchange<br><input type="checkbox"/> 875 Customer Challenge 12 USC 3410<br><input type="checkbox"/> 890 Other Statutory Actions<br><input type="checkbox"/> 891 Agricultural Act<br><input type="checkbox"/> 892 Economic Stabilization Act<br><input type="checkbox"/> 893 Environmental Matters<br><input type="checkbox"/> 894 Energy Allocation Act<br><input type="checkbox"/> 895 Freedom of Info. Act<br><input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice<br><input type="checkbox"/> 950 Constitutionality of State Statutes | <input type="checkbox"/> 110 Insurance<br><input type="checkbox"/> 120 Marine<br><input type="checkbox"/> 130 Miller Act<br><input type="checkbox"/> 140 Negotiable Instrument<br><input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment<br><input type="checkbox"/> 151 Medicare Act<br><input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans)<br><input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits<br><input type="checkbox"/> 160 Stockholders' Suits<br><input type="checkbox"/> 190 Other Contract<br><input type="checkbox"/> 195 Contract Product Liability<br><input type="checkbox"/> 196 Franchise<br><input type="checkbox"/> 210 Land Condemnation<br><input type="checkbox"/> 220 Foreclosure<br><input type="checkbox"/> 230 Rent Lease & Ejectment<br><input type="checkbox"/> 240 Torts to Land<br><input type="checkbox"/> 245 Tort Product Liability<br><input type="checkbox"/> 290 All Other Real Property | <input type="checkbox"/> 310 Airplane<br><input type="checkbox"/> 315 Airplane Product Liability<br><input type="checkbox"/> 320 Assault, Libel & Slander<br><input type="checkbox"/> 330 Fed. Employers' Liability<br><input type="checkbox"/> 340 Marine<br><input type="checkbox"/> 345 Marine Product Liability<br><input type="checkbox"/> 350 Motor Vehicle<br><input type="checkbox"/> 355 Motor Vehicle Product Liability<br><input type="checkbox"/> 360 Other Personal Injury<br><input type="checkbox"/> 362 Personal Injury-Med Malpractice<br><input type="checkbox"/> 365 Personal Injury-Product Liability<br><input type="checkbox"/> 368 Asbestos Personal Injury Product Liability<br><input type="checkbox"/> 462 Naturalization Application<br><input type="checkbox"/> 463 Habeas Corpus-Alien Detainee<br><input type="checkbox"/> 465 Other Immigration Actions | <input type="checkbox"/> 370 Other Fraud<br><input type="checkbox"/> 371 Truth in Lending<br><input type="checkbox"/> 380 Other Personal Property Damage<br><input type="checkbox"/> 385 Property Damage-Product Liability<br><input type="checkbox"/> 422 Appeal 28 USC 158<br><input type="checkbox"/> 423 Withdrawal 28 USC 157<br><input type="checkbox"/> 441 Voting<br><input type="checkbox"/> 442 Employment<br><input type="checkbox"/> 443 Housing/Accommodations<br><input type="checkbox"/> 444 Welfare<br><input type="checkbox"/> 445 American with Disabilities - Employment<br><input type="checkbox"/> 446 American with Disabilities - Other<br><input type="checkbox"/> 440 Other Civil Rights | <input type="checkbox"/> 510 Motions to Vacate Sentence<br><input type="checkbox"/> 530 Habeas Corpus General<br><input type="checkbox"/> 535 Death Penalty<br><input type="checkbox"/> 540 Mandamus/Other<br><input type="checkbox"/> 550 Civil Rights<br><input type="checkbox"/> 555 Prison Condition<br><input type="checkbox"/> 610 Agriculture<br><input type="checkbox"/> 620 Other Food & Drug<br><input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881<br><input type="checkbox"/> 630 Liquor Laws<br><input type="checkbox"/> 640 R.R. & Truck<br><input type="checkbox"/> 650 Airline Regs<br><input type="checkbox"/> 660 Occupational Safety/Health<br><input type="checkbox"/> 690 Other | <input type="checkbox"/> 710 Fair Labor Standards Act<br><input type="checkbox"/> 720 Labor/Mgmt. Relations<br><input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act<br><input type="checkbox"/> 740 Railway Labor Act<br><input type="checkbox"/> 790 Other Labor Litigation<br><input type="checkbox"/> 791 Empl. Ret. Inc. Security Act<br><input type="checkbox"/> 820 Copyrights<br><input type="checkbox"/> 830 Patent<br><input checked="" type="checkbox"/> 840 Trademark<br><input type="checkbox"/> 861 HIA (1395ff)<br><input type="checkbox"/> 862 Black Lung (923)<br><input type="checkbox"/> 863 DIWC/DIWW (405(g))<br><input type="checkbox"/> 864 SSID Title XVI<br><input type="checkbox"/> 865 RSI (405(g))<br><input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)<br><input type="checkbox"/> 871 IRS-Third Party 26 USC 7609 |
|--|---|--|---|---|--|

CV10 3916

FOR OFFICE USE ONLY: Case Number: \_\_\_\_\_

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.



**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA**  
**CIVIL COVER SHEET**

**VIII(a). IDENTICAL CASES:** Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes

If yes, list case number(s): \_\_\_\_\_

**VIII(b). RELATED CASES:** Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes

If yes, list case number(s): \_\_\_\_\_

**Civil cases are deemed related if a previously filed case and the present case:**

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or  
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or  
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or  
☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

**IX. VENUE:** (When completing the following information, use an additional sheet if necessary.)

- (a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.  
☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

|                           |   |
|---------------------------|---|
| County in this District:* | California County outside of this District; State, if other than California; or Foreign Country |
| Ventura                   |   |

- (b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.  
☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

|                           |   |
|---------------------------|---|
| County in this District:* | California County outside of this District; State, if other than California; or Foreign Country |
| Los Angeles               |   |

- (c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.

**Note: In land condemnation cases, use the location of the tract of land involved.**

|                           |   |
|---------------------------|---|
| County in this District:* | California County outside of this District; State, if other than California; or Foreign Country |
| Los Angeles               |   |

\* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

**Note:** In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER):

Date

5/25/2010

**Notice to Counsel/Parties:** The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

| Nature of Suit Code | Abbreviation | Substantive Statement of Cause of Action   |
|---------------------|--------------|--|
| 861                 | HIA          | All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b)) |
| 862                 | BL           | All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)  |
| 863                 | DIWC         | All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))   |
| 863                 | DIWW         | All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))  |
| 864                 | SSID         | All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.  |
| 865                 | RSI          | All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))   |

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY**

This case has been assigned to District Judge Stephen V. Wilson and the assigned discovery Magistrate Judge is Alicia G. Rosenberg.

The case number on all documents filed with the Court should read as follows:

**CV10- 3916 SVW (AGR~~x~~)**

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

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**NOTICE TO COUNSEL**

*A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).*

Subsequent documents must be filed at the following location:

☒ **Western Division**  
312 N. Spring St., Rm. G-8  
Los Angeles, CA 90012

☐ **Southern Division**  
411 West Fourth St., Rm. 1-053  
Santa Ana, CA 92701-4516

☐ **Eastern Division**  
3470 Twelfth St., Rm. 134  
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.